

PATENT
B208-346 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenichi Nagasawa et al.
Serial No.: 09/437,694
For: SIGNAL RECORDING APPARATUS
Filed: November 10, 1999
Examiner: H. Nguyen
Art Unit: 2615

Commissioner of Patents and Trademarks
BOX 17
Washington, DC 20231

Sir:

REQUEST FOR REFUND

As indicated by the "Notice of Improper Request for Continued Examination (RCE)" mailed April 16, 2002 in the above application (copy attached) from the U.S. Patent and Trademark Office, a Request for Continued Examination was filed prior to the mailing of a final action in this application. Accordingly, applicants are filing a "Petition to Withdraw the Request for Continued Examination and Three Month Extension of Time Request" concurrently herewith. In addition to requesting withdrawal of the RCE and Three Month Extension of Time Request, applicants are requesting that the Amendment filed March 22, 2002 and improperly titled "Amendment Under 37 CFR 1.116" ("March 22nd Amendment") be instead considered a response to the non-final action mailed October 23, 2001. Applicants have further requested that the Examiner withdraw the Advisory Action mailed March 27, 2002 and instead issue an Office Action in response to the March 22nd Amendment.

#15 / 7/25/02
S44I hereby certify that this correspondence is being faxed to the U.S. Patent and Trademark Office to facsimile number (703) 746-5735 on the date shown below:
July 25, 2002July 25, 2002
Date of Signature

MARYLENE JENKINS

Signature

In view of the above, applicants submit that the fees for filing the RCE and the Three Month Extension of Time Request, paid by credit card on April 10, 2002, were not required in this application. Therefore, applicants request a refund of the RCE filing fee (\$740). In addition, applicants request a refund for the fee (\$520) for the Three Month Extension of Time Request. This fee (\$520) is based on the Three Month Extension of Time Fee (\$920) minus a Two Month Extension of Time Fee (\$400) previously paid by credit card when the March 22nd Amendment was filed. Accordingly, applicants request a refund of a total of \$1260, to be credited to the credit card account specified on the Credit Card Payment Form (PTO-2038). A copy of the Credit Card Form filed on April 10, 2002 is attached.

If you have any questions concerning this matter, please do not hesitate to contact the undersigned attorney at (212) 682-9640.

Dated: July 25, 2002

ROBIN, BLECKER & DALEY
330 Madison Avenue
New York, New York 10017
T (212) 682-9640

Respectfully submitted,



Marylee Jenkins
Reg. No. 37,645
Attorney of Record